

REMARKS

This responds to the Office Action dated November 26, 2010.

Claims 1, 8, 16-17, and 23 are amended; claims 7, 9-10, and 26 were previously canceled, without prejudice to or disclaimer by the Applicant; as a result, claims 1-6, 8, 11-25, and 27-28 are now pending in this application.

Example support for the amendments may be found throughout the original filed specification. By way of example only the learned Examiner's attention is directed to the original filed specification page 6 lines 21-30, page 10 lines 22-27, *etc.*

Priority

It is noted that the Examiner disagrees that this application is a continuation-in-part of U.S. Application No. 10/650,211, based on the assertion that U.S. Application No. 10/650,211 does not disclose any embodiments that feature all limitations of each of the instant claims. Applicant respectfully reserves the right to subsequently object to this assessment by the Examiner. In the interest of furthering the prosecution of the application and at this point, Applicant has no other comment on this assessment by the Examiner. It is noted however that the Examiner has not required any kind of formal response from the Applicant on this assessment in the Office Action. Therefore, Applicant disagrees with the assessment and reserves the right to later provide specifics to counter the assessment but at this point in time it appears that no formal response is needed by the Applicant as none was requested or required by the Examiner.

Double Patenting Rejection

Claims 1-6, 8, 10-25, 27 and 28 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 3-15, 17-22 and 24-26 of copending Application No. 10/814,983.

This is a provisional rejection and as such Applicant is not required to submit a Terminal Disclaimer at this point in time since there are no claims of record that stand allowed. Moreover, Applicant does not admit that the claims are obvious in view of U.S. Application Serial No.

10/814,983. However, should claims become allowable Applicant will at that time properly submit a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(b)(iv).

The Rejection of Claims Under § 103

Claims 1-6, 8, 11-25, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonch et al. (US 2004/0015725) in view of Aziz et al. (US 6,643,701).

The proposed combination fails to teach or suggest any notion that a determination is made to process a local service within a local environment of a client based on an identity for a particular remote site that a particular client is trying to access. Stated another way, the references fail to show data acceleration based on the requesting service's identity. The only reference to any kind of identity is in the Background Section of Aziz (column 1 lines 29-33) and this reference refers to authenticating a client and a server before proceeding with any communication. The reference does not teach that a local acceleration service is selected and processed based on the identity of a remote service being requested by a client.

Accordingly, Applicant submits that the proposed reference does not teach or suggest each and every element of the rejected claims. As such, Applicant respectfully requests that the rejections of record be withdrawn and the claims in question allowed.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (513) 942-0224 to facilitate prosecution of this application.

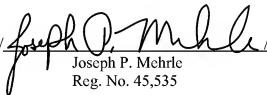
If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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By /


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